

Docket No.: MATH2.001AUS

June 29, 2005

App. No.: 10/817,327

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TERMINAL DISCLAIMER UNDER 37 CFR § 1.321

Applicant : Troy Wray
App. No : 10/817,327
Filed : April 2, 2004
For : ELECTROMAGNETIC FLOW METER
Examiner : Harshad R. Patel
Art Unit : 2855

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

June 29, 2005

(Date)

John M. Carson, Reg. No. 34,303

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Disclaimer by Assignee

Assignee, ABB Limited ("Assignee"), hereby disclaims, except as provided below, the terminal part of any patent granted on the above-referenced application which would extend beyond the expiration date of the full statutory term of any patent issuing from U.S. Patent Application No. 10/817,765, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the above-identified application and any patent issuing from U.S. Patent Application No. 10/817,765 are co-owned. This agreement extends to any patent granted on the above-referenced application and shall be binding on its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-referenced application prior to the earlier of the expiration date of the full statutory term of any patent issuing from U.S. Patent Application No. 10/817,765, and that of any patent issuing on the above-identified application in the event that either one later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

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Right of Assignee and Ownership

In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of a 100 percent interest in the above-identified application and co-owned Application No. 10/817,765. The assignment of Application No. 10/817,765 is recorded at Reel No. 015077, Frame No. 0954 by the Assignment Branch of the Patent and Trademark Office. The Assignee represents that, to the best of Assignee's knowledge and belief, title is in the Assignee seeking to take action.

Empowerment of Attorney

Pursuant to 37 C.F.R. 1.321(a) the undersigned attorney of record is empowered to act on behalf of the Assignee, by virtue of a Power of Attorney.

This Terminal Disclaimer is accompanied by the \$130 fee set forth in 37 C.F.R. § 1.20(d).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR LLP

Date: June 29, 2005

John M. Carson
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Attorney of Record
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